

Effective date: March 12, 2008

1/30/2008

29-O-08

AN ORDINANCE

**Rescinding the Evanston Landmark Designation for
the Property Located at 1218 Elmwood Avenue**

WHEREAS, the City has enacted a Historic Preservation Ordinance ("Ordinance"), Title 2, Chapter 9 of the Evanston City Code of 1979, as amended; and

WHEREAS, Section 2-9-6 of the Ordinance sets forth the process whereby the Preservation Commission can consider applications for rescission of landmark designations and recommend such rescissions to the City Council; and

WHEREAS, Carole Brite (the "Applicant"), owner of the property located at 1218 Elmwood Avenue ("Subject Property"), submitted an application on December 6, 2007, for rescission of the landmark designation for the Subject Property, citing that the original landmark historic house, the home of Henry Leonidas Boltwood, first principal and superintendent of Evanston Township High School (1883-1906), was demolished in June of 2007 pursuant to a Certificate of Appropriateness granted by the City Council at its September 11, 2006 meeting; and

WHEREAS, the Preservation Commission conducted public hearings, pursuant to proper notice, on December 18, 2007, and January 15, 2008, to consider the application pursuant to Section 2-9-6 of the Ordinance; and

WHEREAS, the Preservation Commission, after reviewing the application, hearing from the Applicant, and making a written record of the hearing, found that the Subject Property, without the original historic landmark house, no longer meets the criteria, found in Sections 2-9-4 (A) and 2-9-4 (B) of the Ordinance, for designation as an Evanston Landmark; and

WHEREAS, at its December 18, 2007 meeting, the Preservation Commission voted to recommend that the City Council rescind the Evanston Landmark designation for the Subject Property; and

WHEREAS, at its January 15, 2008 meeting, the Preservation Commission adopted a Resolution "Requesting the City Manager to Transmit the Evanston Preservation Commission's Report and Recommendation that the City Council Rescind the Evanston Landmark Designation from the Property at 1218 Elmwood Avenue"; and

WHEREAS, at its February 11, 2008 meeting, the Planning and Development Committee of the City Council considered and adopted the record and recommendation of the Preservation Commission, and recommended that the City Council rescind the Evanston Landmark designation for the Subject Property; and

WHEREAS, at its February 25, 2008 meeting, the City Council considered and adopted the respective records and recommendations of the Preservation Commission and the Planning and Development Committee,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That the above recitals are found as fact and made a part hereof.

SECTION 2: That, pursuant to Section 2-9-6 (B) of the Ordinance, the City Council hereby rescinds the Evanston Landmark designation for the Subject Property.

SECTION 3: That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications thereof.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: February 11, 2008

Approved:

Adopted: February 25, 2008

February 27, 2008

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris
Mary P. Morris, City Clerk

Approved as to form:

[Signature]
Corporation Counsel